

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 9062 – SB 9061

October 27, 2021

SUMMARY OF BILL: Establishes a new discriminatory practice under the Tennessee Human Rights Act, for a person to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation, resort, or amusement on the grounds of COVID-19 immunity status.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$23,700/FY21-22

**/Tennessee Human Rights Commission
\$47,400/FY22-23 and Subsequent Years
/Tennessee Human Rights Commission**

Assumptions:

- The addition of discriminatory practices under the Human Rights Act is estimated to significantly increase the number of phone calls, online complaint submittals, and case processing on behalf of the Tennessee Human Rights Commission (THRC).
- The THRC will require an additional Intake Specialist, or Administrative Services Assistant 3, for the volume of contact estimated to generate from the proposed legislation.
- A recurring increase in state expenditures to the THRC of \$47,424 (\$34,884 salary + \$12,540 benefits).
- Assuming an effective date of January 1, 2022, the FY21-22 increase in expenditures will be half of future fiscal years, or \$23,712 (\$47,424 x 50.0%).
- An increase in state expenditures of \$47,424 in FY22-23 and subsequent years.
- There is not estimated to be a significant increase in caseloads; therefore, any impact to the state or local court system is estimated to be not significant.
- The U.S. Supreme Court issued a ruling in February 20, 1905, *Jacobson v. Massachusetts*, upholding the right of states to compel vaccination.
- Each state decides which vaccines are required based on recommendations from the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices (ACIP).
- Immunization or vaccination for COVID-19 is currently not required by any state or local governmental entity in Tennessee. Prohibiting any such future requirement will not result in a significant fiscal impact to the state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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